

REMARKS

Claims 1-16, 19-34, and 44 are pending. In the Office Action, the Examiner indicated that claims 20-34 and 44 were allowable. Claims 18-19 were indicated to recite allowable subject matter but were objected to for depending from rejected base claims. The Examiner rejected claims 35-40 under 35 U.S.C. § 112. Further, the Examiner rejected claims 1-10, 17, and 35-38 under 35 U.S.C. § 102(e) as being anticipated by WO 01/31482 (Arditti et al.). Further, the Examiner rejected claims 11-16, 39, and 40 under 35 U.S.C. § 103(a) as being obvious over Arditti et al. in view of US 2002/0143673 (Hitchings et al.).

By way of the present Amendment, Claim 1 has been amended to incorporate subject matter previously recited in claims 17 and 18. Claim 19 has been amended to reflect the fact that claim 19 now depends from claim 1. Claim 24 has been amended to correct the obviously unintended repetition of the word “said”. Claims 17-18 and 35-43 have been canceled. Thus, the Examiner’s rejections pursuant to 35 U.S.C. §§ 112, 102, and 103 are now moot. These amendments and cancellations have been made solely to expedite prosecution of this application. While Applicants disagree with the grounds of the Examiner’s rejections, and reserve the right to prosecute the canceled subject matter in a continuation application, it is believed that all pending claims recite subject matter indicated to be patentable in the Office Action.

Applicants note that the Examiner objected to the Declaration, and urge the Examiner to withdraw her objection. Applicants respectfully disagree that inventor John Werner failed to fulfill the requirements of 37 C.F.R. § 1.52(c) in correcting his address and one letter in the spelling of his name on the Declaration. That rule provides that “any . . . alteration of the application papers filed must be made before the signing of the accompanying oath or declaration . . . and should be dated and initialed or signed by the applicant on the same piece of paper.” 37 C.F.R. § 1.52(c)(1). Inventor Werner clearly made the afore-mentioned corrections as he signed and dated the Declaration, thus signing and dating the corrections and fulfilling the requirements of 37 C.F.R. 1.52(c). Moreover, an inventor’s signature is not even required with respect to the inventor’s address, which may be provided in an application data sheet and is not required in the Declaration. *See* 37 C.F.R. § 1.63(c). Accordingly, Applicants respectfully submit that there are no grounds for objecting to the Declaration.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes that a fee of \$950 is due with this response. Please charge our Deposit Account No. 18-0013, under Order No. 65877-0008 from which the undersigned is authorized to draw, for any fee due with this response.

Dated: June 9, 2004

Respectfully submitted,

By 

Michael B. Stewart

Registration No.: 36,018

Charles A. Bieneman

Registration No.: 51,472

RADER, FISHMAN & GRAUER PLLC

39533 Woodward Avenue

Suite 140

Bloomfield Hills, Michigan 48304

(248) 594-0600

Attorneys for Applicant